

Video Transcription of Dinesh D'Souza's Interview on the Kelly Files

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PARTICIPANTS: Megyn Kelly "MK"
Dinesh D'Souza "DD"

ABBREVIATIONS: (U/I) = Unintelligible
(PH) = Phonetic
(***) = Portion of Recording Redacted

(BEGINNING OF VIDEO)

MK: Also breaking tonight, a well-known film maker and outspoken critic of President Obama, pleading guilty to violating campaign finance laws. Hours ago, in a Federal court in Manhattan, Dinesh D'Souza pleaded guilty to illegally funneling money through friends to an unsuccessful New York Senate candidate in 2012. Now in an exclusive interview, Dinesh D'Souza joins me live, creator of the new film America, which is set for release in July. Dinesh; good to see you.

DD: Good to be here.

MK: And so now this case is resolved for today, and the Obama administration gets to call one of its top critics a convicted felon. Is this what they wanted all along?

DD: (sigh) Uh, I don't know. I mean, I was facing 2, uh, charges Megyn. The first one was exceeding the campaign finance limits. Uh, the second one was causing the Government - the uh, the election commission to file a false report. And that second charge carried 5 - a maximum of 5 years in prison. So what happened is I plead - pleaded guilty to the charge of exceeding the campaign finance limits and the Government agreed to drop the other charge.

MK: There was really never any doubt that you did it?

DD: Right.

MK: I mean, that - well, your defense in this case was not "I didn't do it."

It was, you know, "I didn't do it with any intent; I didn't do it with the right requisite state of mind", and its selective prosecution by the Government who doesn't go after anybody for this kind of crime, except coincidentally one of the cred - one of the President's biggest critics. But the Judge didn't allow you to bring that defense.

DD: Yeah. Interestingly, in the beginning, I didn't - I didn't exceed the limits, and now I'm saying the opposite; on the contrary. The facts of the case that I, you know, induced 2 of my close associates to contribute (I reimbursed them); I did do that. And actually, that was wrong. I should not -

MK: It's an end around campaign finance laws.

DD: Yes, it's end around campaign finance laws. So I acknowledged responsibility, and I have - I did, I did admit doing that from the beginning. But I did, uh, con - contest the issue of selective prosecution - why was I being - so we made a motion before the Judge on selective prosecution. But in the ruling last week, he said, "No, you can't bring that into the case." So what really happened is I was going into a trial with in a sense, no defense. Uh, and so it seemed to me wise to um, uh, to have the second charge -

MK: It wasn't just you that thought this might be selective prosecution. Just to our viewers now, Alan Dershowitz, who's a liberal Democrat, thought this might be selective prosecution, Ted Cruz - he united Alan Dershowitz and Ted Cruz, uh, in this view. 4 U.S. Senators wrote a letter demanding to know what the basis for bringing these particular charges against you was, since we've had so many instances of others doing similar things. The Washington Times points out in an editorial yesterday that Mr. Obama's 2008 Presidential campaign was itself fined almost \$400,000 dollars in 2013 for failing to disclose millions of dollars in contributions and missing deadlines for refunding ex - excess contributions. No one was threatened with prison. Is this about Dinesh D'Souza, or is this about upholding campaign finance laws?

DD: Well, you know, when I look around the country, it's remarkable to see the cases that do and don't get pressed. So for example, look at Harry Reed. There seem to be multiple campaign finance things with him. The last I read, he used money from his campaign finance to pay for his daughter's wedding. Then you look at numerous other cases and it seems that the Obama administration does not choose to, to push those. So that's really the issue; it's the issue of fair

treatment. You know, you don't want to have a country that Lady Justice has one eye open, and she winks at her friends, and then gives the evil eye to her enemies.

MK: But what - let me ask you about the substance of it and the violation of law, because a lot of our viewers saw your earlier film and enjoyed it, and want to go see your next films, and I - they may not want to believe that you are somebody who would willingly flout the law. Why'd you do it?

DD: My longtime friend Wendy Long - uh, I've known her for 30 years - and she was running for the Senate in New York. Uh, her campaign was absolutely flailing, uh and I wanted to help her. And so I just chose the wrong and stupid way to do it. I shouldn't have done it. Uh, and I'm taking responsibility for it. Uh -

MK: You think you're going to get jail time?

DD: I don't know. That's up to Judge Berman. And he - there's a hearing - uh, there's a sentencing in, in September, and I'll find out.

MK: Do you feel chilled at all from, you know, the kind of work you do, the kind of films you make now?

DD: Well, one thing Megyn - I mean this has been a bit of a scary process, but I will assure you that I am determined to forge ahead. I mean, I feel that I've got a powerful message. The message of our film America that comes out in a month is indeed the issue of justice. Uh, very often as conservatives we tout liberty. But the American founding when you go back and read the Declaration of Independence is - it's uh, - it's an indictment of the injustice of the crown. And liberty for the American founders was a solution to the problem of justice.

MK: Did -

DD: So justice is at the center of our film.

MK: Did they scare you?

DD: It's a scary thing to have the Federal Government - it has a lot of power, uh, having you in its sights. Uh, and so I'm not - uh, I mean it's the process that I have been going through, and I'm not done with it. Uh, but I'm - but it's not gonna deter me from speaking out on public issues, I'll tell you that.

MK: And you don't recommend it to others, I'm certain Dinesh. Listen, good luck to you.

DD: Thank you.

MK: Thanks for coming on.

(END OF VIDEO)